

### **REMARKS/ARGUMENTS**

Claims 1, 2, 8, 13, 17 and 18 were rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468 (U.S. 5,930,468). Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Rai '747 (U.S. Pub. No. 2003/0149747). Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Yacoub '805 (U.S. Pub. No. 2003/0011085). Claims 5, 6, 9 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Bauer '461 (U.S. Pub. No. 2001/0039461). Claims 7 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 as modified by Bauer '461 and further in view of Noyes '792 (U.S. Pub. No. 2003/0011792). Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 as modified by Bauer '461 and Noyes '792 and further in view of Wasenius '320 (U.S. Pub. No. 2002/0151320). Claims 14 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Pfeiffer '102 (U.S. 5,447,102). Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Bauer '461 and Jackson et al. (U.S. 7,604,848).

Claims 1 and 13 have been amended. Support is found at, for example paragraph [0021].

Applicants respectfully request reconsideration of the application based on the following remarks.

#### **35 U.S.C. §102(b) Rejection**

Claims 1, 2, 8, 13, 17 and 18 were rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468.

Zingher '468 is discussed in detail in paragraph [0004] of the specification.

Claim 1 now recites a method for determining an optimum procedure for a job change between a first machine job and a subsequent machine job on a printing-material processing machine having at least one control computer, the method comprising:

comparing first data of the first machine job to second data of the subsequent machine job using the at least one control computer, and

establishing an order of operations to be carried out during the job change between the first machine job and the subsequent machine job as a function of the comparing step.

Zingher '468 does not disclose "establishing an order of operations to be carried out during the job change between the first machine job and the subsequent machine job as a function of the comparing step" as now recited in claim 1. While Zingher discloses determining changes necessary to carry out a subsequent print job, it never establishes an order of operation to be carried out during the job change between the first machine job and the subsequent machine job, for example changing the order of inking procedures or cleaning changes as described at, for example [0022] to [0024]. Rather, the sorting order of the print jobs is changed. (See col. 3; lines 8 to 10 and col. 7; lines 18 to 33).

Withdrawal of the rejection under 35 U.S.C. §102(b) of claim 1 and its dependent claims is respectfully requested.

Claim 8 was rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468. Zingher is discussed above.

Claim 8 recites a device for determining an optimum procedure for a job change on a printing-material processing machine comprising:

at least one control computer comparing first data of a first machine job to second data of a subsequent machine job, and executing program steps as a function of the comparing step to establish an order of operations to be carried out during the job change.

Zingher does not disclose a "step to establish an order of operations to be carried out during the job change" as recited in claim 8. The order of operation during the print jobs is not addressed or at issue in Zingher. According to col. 1; lines 10 to 19 of Zingher, a print job change from a first print job to a consecutive second print job requires changing the printing plates and maybe also changing of the inks. Zingher optimizes the time during the production by determining the sequence in which the individual print jobs are carried out one after another, not during the job change as claimed. (See col. 3; lines 1 to 10).

Withdrawal of the rejection under 35 U.S.C. §102(b) of claim 8 and its dependent claims is respectfully requested.

Claim 13 was rejected under 35 U.S.C. 102(b) as being anticipated by Zingher '468. Zingher is discussed above.

Claim 13 now recites a printing press comprising:

a device for determining an optimum procedure for a job change between a first machine job and a subsequent machine job on a printing-material processing machine, the device including at least one control computer comparing first data of the first machine job to second data of the subsequent machine job, and executing program steps as a function of the comparing step to establish an order of operations to be carried out during the job between the first machine job and the subsequent machine job.

Zingher does not show “determining an optimum procedure for a job change between a first machine job and a subsequent machine job” or establishing “an order of operations to be carried out during the job between the first machine job and the subsequent machine job” as now recited in claim 13. As stated above, Zingher fails to show that an order of operations can be carried out during the job change between a first machine job and a subsequent machine job but only shows re-ordering of printing queues.

Withdrawal of the rejection under 35 U.S.C. §102(b) of claim 13 and its dependent claims is respectfully requested.

Since all elements of claims 1, 8 and 13 are not taught or shown in Zingher ‘468, there is no anticipation under 35 U.S.C. §102(b). (See MPEP 2131).

Withdrawal of the rejections under 35 U.S.C. §102(b) of claims 1 and its dependent claims, claim 8 and its dependent claims and claim 13 and its dependent claims is respectfully requested.

### 35 U.S.C. §103(a) Rejection

Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher ‘468 in view of Rai ‘747.

Zingher ‘468 is discussed above.

Rai ‘747 discloses a centralized server for providing analytic services to print shops which are located remotely from the centralized server. (See paragraph [0013]).

Claim 3 recites “wherein a number of operating personnel of the printing-material processing machine is taken into account in the determination of the optimum procedure.”

One of ordinary skill in the art would not combine Zingher and Rai because Zingher emphasizes using a data processing device to optimize in terms of time, process and/or in terms of economy of materials for pixel-by-pixel comparison and to determine the method with which the individual print jobs are carried out. (See col. 5; lines 12 to 21 and col. 4; lines 55 to col. 5 lines 6).

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 3 is respectfully requested.

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Yacoub '805.

Zingher '468 is discussed above.

Yacoub discloses a networked printing solution which minimizes the necessity of user interaction in the printing process. (See paragraph [0008]).

Claim 4 recites "wherein a length of paths to be traveled by operating personnel of the printing-material processing machine while carrying out the order of processes is taken into account in the determination of the optimum procedure."

It would not have been obvious to one skilled in the art to modify Zingher in view of Yacoub to meet the claimed limitation because Yacoub does not disclose anything about an order of processes in carried out by operating personnel as recited in claim 4. Yacoub discloses printing solutions for an end user which is not an order of processes of a printing-material processing machine being carried out by operating personnel.

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 4 is respectfully requested.

Claims 5, 6, 9 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Bauer '461.

Zingher '468 is discussed above.

Bauer discloses an apparatus and method for planning and controlling production sequences which permits flexible scheduling and coordination of the print jobs. (See paragraph [0011]).

Claim 5 recites "further comprising visually displaying the established order of processes to operating personnel."

Neither Zingher nor Bauer disclose “displaying the established order of processes to operating personnel” as recited in claim 5. Bauer discloses using the planning board to make changes to the display elements to permit scheduling and coordination of the production sequences which is not “displaying the established order of processes.” (See Bauer paragraph [0013], [0020] and [0031] to [0032]).

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 5 and its dependent claim is respectfully requested.

In further view of dependent claim 6 which recites “wherein the operating personnel are guided through individual steps of a calculated order of processes via one or more display devices mounted on the printing-material processing machine.”

Neither Zingher nor Bauer disclose “wherein the operating personnel are guided through individual steps” as recited in claim 6. Bauer shows that the display on the planning board can be changed therefore, it is not a “calculated order of processes” as in the present invention. (See Bauer paragraph [0013], [0020] and [0031] to [0032]).

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 6 is respectfully requested.

In view of the above, withdrawal of the rejection under 35 U.S.C. §103(a) of claims 9 and 12 is respectfully requested.

Claims 7 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher ‘468 as modified by Bauer ‘461 and further in view of Noyes ‘792.

In view of the above, withdrawal of the rejection under 35 U.S.C. §103(a) of claims 7 and 10 is respectfully requested.

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher ‘468 as modified by Bauer ‘461 and Noyes ‘792 and further in view of Wasenius ‘320.

In view of the above, withdrawal of the rejection under 35 U.S.C. §103(a) of claim 11 is respectfully requested.

Claims 14 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Pfeiffer '102.

In view of the above discussion of amended claim 13, withdrawal of the rejection under 35 U.S.C. §103(a) of claims 14 and 15 is respectfully requested.

Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zingher '468 in view of Bauer '461 and Jackson et al.


In view of the above discussion of amended claim 1, withdrawal of the rejection under 35 U.S.C. §103(a) of claim 16 is respectfully requested.

**CONCLUSION**

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,  
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